

**CALIFORNIA REGIONAL WATER QUALITY
CONTROL BOARD
LOS ANGELES REGION**

DRAFT

TENTATIVE ORDER

ORDER NO. 01-XXX

NPDES PERMIT NO. CA0053961

**OJAI VALLEY SANITARY DISTRICT
WASTEWATER TREATMENT PLANT**

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**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

**ORDER NO. 01-XXX
NPDES NO. CA0053961**

**WASTE DISCHARGE REQUIREMENTS
FOR
OJAI VALLEY SANITARY DISTRICT
OJAI VALLEY TREATMENT PLANT**

The California Regional Water Quality Control Board (RWQCB), Los Angeles Region (Regional Board), finds:

BACKGROUND

1. Ojai Valley Sanitary District (hereinafter OVSD or Discharger) operates the Ojai Valley Wastewater Treatment Plant which discharges wastes under waste discharge requirements contained in Order No. 96-041 (National Pollutant Discharge Elimination System (NPDES) Permit No. CA0053961) adopted by this Board on June 10, 1996, and Order No. 99-063, a revised Monitoring and Reporting Program (CI-4245), adopted by this Board on July 8, 1999.
2. OVSD has filed a report of waste discharge and has applied for renewal of its waste discharge requirements (WDR) and NPDES permit.

FACILITY DESCRIPTION

3. The Ojai Valley Wastewater Treatment Plant is located at 6363 North Ventura Avenue, Ventura. Figure 1 shows the location map of the plant. OVSD provides wastewater collection services for the City of Ojai, the unincorporated communities of Meiners Oaks, Mira Monte, Oak View, Casitas Springs, and Foster Park, and a small portion of the City of Ventura. Collected wastewater is treated at the plant. The treatment processes are further described in the Treatment Process Description section.
4. The U.S. Environmental Protection Agency (USEPA) and the Regional Board have classified this discharge as a major discharge.

PURPOSE OF ORDER

5. This NPDES permit regulates the discharge of treated wastewater to the Ventura River, a water of the State and the United States. The purpose of this Order is to renew Waste Discharge Requirements for the Ojai Valley Wastewater Treatment Plant.

TREATMENT PROCESS DESCRIPTION

6. The Ojai Valley Wastewater Treatment Plant has a design capacity of 3.0 million gallons per day and serves an estimated population of 23,000 people.
7. Treatment at the plant consists of: influent grinding, pumping, metering, grit removal and screening; an oxidation ditch with anaerobic-anoxic and aerobic zones for BOD, nitrogen, and phosphorous removal; final clarification; equalization basins; tertiary filters; ultraviolet disinfection with chlorination/dechlorination as backup; and reaeration. The discharge is to the Ventura River.

Following clarification, waste activated sludge is further stabilized in an aerobic holding tank, belt pressed, and then dried and/or composted in sludge drying beds. Sludge is composted onsite during dry weather and removed to an offsite composting facility during wet weather.

Figure 2 shows the schematic of wastewater flow for the treatment plant.

DISCHARGE DESCRIPTION

8. The Plant discharges an average of 2.17 million gallons per day (MGD) of tertiary treated wastewater through Discharge Serial No. 1 (latitude 34° 20' 33", longitude 119° 17' 26") to the Ventura River, a water of the United States, above the estuary, and is part of the Ventura River Watershed Management Area.
9. From the discharge point of the treatment plant, the Ventura River flows about 5 miles through the Ventura River Valley to the Pacific Ocean. At its mouth, the river traverses an alluvial delta and forms a lagoon at the ocean shore. A sand bar generally closes this lagoon during low flow months, although during winter months the bar may be breached by high river flows. The upper end of the lagoon is included within the Emma Wood State Beach-Ventura River Group Camp. The lower end of the lagoon is included within the City of San Buenaventura's Seaside Wilderness Park.

DISCHARGE QUALITY AND HISTORY

10. Prior to the plant upgrade, on an annual basis, during late summer and early fall, the dissolved oxygen concentration of the receiving waters below the discharge point had been found to fall below the 7.0 mg/L objective contained in the Water Quality Control Plan for cold water streams. Over the same period, heavy growths of aquatic vegetation developed in the receiving water. Plant growth in the river was 30-50% less upstream than downstream of OVSD's discharge point. A study by OVSD (required in Board Order No. 90-062) conducted in 1991 found that the dissolved oxygen depletion and the heavy growths of aquatic plants were related to OVSD's discharge.
11. In a letter dated April 16, 1990, OVSD submitted a schedule for the upgrade of the treatment plant facilities. Cease and Desist Order No 90-063 was issued on May 21, 1990,

requiring OVSD to complete the upgrade to the plant to provide for filtration capability and other operational improvements. Originally OVSD estimated that three (3) years would be needed to acquire funding, design, bid, construct, start up, and reach the operational level of the filtration facilities and to achieve full compliance with the new and more stringent requirements. However, because of delays in preparing the Environmental Impact Report (EIR), obtaining financing from the State Revolving Fund, and obtaining a Conditional Use Permit from the Ventura County for the project, OVSD was not able to start the construction until January 9, 1995. OVSD completed the construction and brought the plant online in the fall of 1997.

12. The upgraded treatment plant, as built by OVSD, utilizes a multistage suspended growth biological nutrient removal process treatment process in conjunction with extended aeration technology. The existing disinfection facilities were modified to include ultraviolet disinfection. The treatment plant will remain at 3.0 MGD average dry weather flow and 9.0 MGD peak wet weather flow.

The most recent monitoring after the completion of the upgrade has shown the quality of the effluent has significantly improved including a reduction of nitrate-nitrogen from 20 mg/L to 4 mg/L, a reduction of suspended solids from 12 mg/L to 2 mg/L, and a reduction of BOD from 10 mg/L to 2 mg/L. Dissolved oxygen levels in the river have improved dramatically to about 11 mg/L and algal growth is greatly reduced below the plant.

13. Due to the upgrade of the treatment plant, effluent data gathered from the fall of 1997 and forward will be used for effluent characterization. The volume and characteristics of the treated wastewater based on discharge monitoring reports from the fall of 1997 to July 2000 are as follows:

<u>Constituents</u>	<u>Unit</u>	<u>Average</u>	<u>Maximum</u>	<u>Minimum</u>
Flow	MGD	2.17	2.49	1.93
pH	pH unit	7.68	7.93	7.1
Temperature	°F	70	78	64
BOD ₅ 20°C	mg/L	2.55	4	2
Total Suspended Solids	mg/L	2.66	----	----
Dissolved Oxygen	mg/L	8.52	9.7	7.63
Ammonia Nitrogen	mg/L	0.06	----	----
Total phosphorous	mg/L	2.28	5	0.4
Oil and Grease	mg/L	4	5	3
Total Dissolved Solids	mg/L	840	900	750
MBAS	mg/L	<0.1	<0.1	<0.05
Settleable Solids	mg/L	<0.1	----	----

14. The characteristics of the wastewater discharged based on data submitted in the 1999 annual summary discharge monitoring report are as follows:

<u>CTR#</u>	<u>Constituents</u>	<u>Units</u>	<u>Average</u>	<u>Maximum</u>	<u>Minimum</u>
	Flow	MGD	2.1	2.33	1.95
	pH	pH unit	7.6	8.1	6.6
	Temperature	°F	70	78	62
	BOD ₅ 20°C	mg/L	3	----	----
	Total Suspended Solids	mg/L	2	----	----
	Dissolved Oxygen	mg/L	8.5	10.3	7.1
	Ammonia Nitrogen	mg/L	<0.05	<0.2	<0.05
	Total phosphorous	mg/L	1.9	2.7	0.4
	Settleable solids	mg/L	<0.1	<0.1	<0.1
	Oil and Grease	mg/L	<3	5	<1
	Total Dissolved Solids	mg/L	821	890	750
	MBAS	mg/L	<0.1	<0.1	<0.1
	Chloride	mg/L	120	120	120
	Sulfate	mg/L	257	290	230
	Boron	mg/L	0.52	0.56	0.50
	Turbidity	NTU	<1	1	<1
	Fluoride	mg/L	0.4	0.4	0.3
	Organic-N	mg/L	0.9	1.5	<0.5
	Nitrate-N + Nitrite N	mg/L	4.8	6.6	3.7
	Total Nitrogen	mg/L	5.7	7.2	4.4
	Aluminum	µg/L	230	300	160
1	Antimony	µg/L	<1	<1	<1
2	Arsenic	µg/L	<1.3	<2	<0.5
	Barium	µg/L	12	23	<0.2
3	Beryllium	µg/L	<0.4	<0.5	<0.2
4	Cadmium	µg/L	<0.2	<0.2	0.07
5a	Chromium III	µg/L	no data		
5b	Chromium VI	µg/L	no data		
	Chromium (total)	µg/L	1.95	2	1.9
	Cobalt	µg/L	0.4	0.4	<0.5
6	Copper	µg/L	10	10	10
	Iron	µg/L	75	100	<50
7	Lead	µg/L	1.32	1.8	0.84
8	Mercury	µg/L	0.001	<0.2	<0.001
	Molybdenum	µg/L	10.6	15	6.2
9	Nickel	µg/L	1.75	3	0.5
10	Selenium	µg/L	<0.9	<1	<0.8
11	Silver	µg/L	<0.6	<1	<0.1
12	Thallium	µg/L	1	1	<1
	Vanadium	µg/L	32	61	<2
13	Zinc	µg/L	35.5	36	35
14	Cyanide	µg/L	<2.5	<10	<5
15	Asbestos	µg/L	no data		
<u>CTR#</u>	<u>Constituents</u>	<u>Units</u>	<u>Average</u>	<u>Maximum</u>	<u>Minimum</u>

16	2,3,4,7-TCDD (Dioxin)	µg/L			
17	Acrolein	µg/L	<100	<100	<100
18	Acrylonitrile	µg/L	<25	<100	<50
19	Benzene	µg/L	<0.5	<0.5	<0.5
20	Bromoform	µg/L	~<4.6	8.1	<1
21	Carbon tetrachloride	µg/L	<0.5	<0.5	<0.5
22	Chlorobenzene	µg/L	<0.5	<0.5	<0.5
23	Dibromochloromethane	µg/L	21	36	6
24	Chloroethane	µg/L	<0.25	<1	<0.5
25	2-Chloroethylvinyl ether	µg/L	<10	<10	<10
26	Chloroform	µg/L	51.5	77	26
27	Bromodichloromethane	µg/L	32.5	37	28
28	1,1-Dichloroethane	µg/L	<0.25	<1	<0.5
29	1,2-Dichloroethane	µg/L	<0.25	<1	<0.5
30	1,1-Dichloroethylene	µg/L	<0.25	<1	<0.5
31	1,2-Dichloropropane	µg/L	<0.25	<1	<0.5
32	1,3-Dichloropropylene	µg/L	<0.25	<2	<0.5
33	Ethylbenzene	µg/L	<0.5	<0.5	<0.5
34	Methyl bromide (Bromomethane)	µg/L	<1	<1	<1
35	Methyl chloride (Chloromethane)	µg/L	<1	<1	<1
36	Methylene chloride	µg/L	<0.5	<0.5	<0.5
37	1,1,2,2-Tetrachloroethane	µg/L	<0.25	<1	<0.5
38	Tetrachloroethylene	µg/L	<0.5	<0.5	<0.5
39	Toluene	µg/L	<0.5	<0.5	<0.5
40	1,2-Trans-dichloroethylene	µg/L	<0.25	<1	<0.5
41	1,1,1-Trichloroethane	µg/L	<0.5	<0.5	<0.5
42	1,1,2-Trichloroethane	µg/L	<0.5	<0.5	<0.5
43	Trichloroethylene	µg/L	<0.25	<1	<0.5
44	Vinyl chloride	µg/L	<0.5	<0.5	<0.5
45	2-Chlorophenol	µg/L	<2.5	<10	<5
46	2,4-Dichlorophenol	µg/L	<2.5	<10	<5
47	2,4-Dimethylphenol	µg/L	<2.5	<10	<5
48	2-Methyl-4,6-dinitrophenol	µg/L	<50	<50	<50
49	2,4-Dinitrophenol	µg/L	<50	<50	<50
50	2-Nitrophenol	µg/L	<2.5	<10	<5
51	4-Nitrophenol	µg/L	<5	<50	<10
52	3-Methyl-4-chlorophenol	µg/L	<2.5	<20	<5
53	Pentachlorophenol	µg/L	<5	<50	<10
54	Phenol	µg/L	<2.5	<10	<5
55	2,4,6-Trichlorophenol	µg/L	<2.5	<10	<5
<u>CTR#</u>	<u>Constituents</u>	<u>Units</u>	<u>Average</u>	<u>Maximum</u>	<u>Minimum</u>
56	Acenaphthene	µg/L	<2.5	<10	<5

57	Acenaphthylene	µg/L	<2.5	<10	<5
58	Anthracene	µg/L	<2.5	<10	<5
59	Benzidine	µg/L	<50	<50	<50
60	Benzo(a)anthracene	µg/L	<2.5	<10	<5
61	Benzo(a)pyrene	µg/L	<2.5	<10	<5
62	Benzo(b)flouranthene	µg/L	<2.5	<10	<5
63	Benzo(g,h,i)perylene	µg/L	<2.5	<10	<5
64	Benzo(k)flouranthene	µg/L	<2.5	<10	<5
65	Bis(2-chloroethoxy)methane	µg/L	<10	<10	<10
66	Bis(2-chloroethyl)ether	µg/L	<10	<10	<10
67	Bis(2-chloroisopropyl)ether	µg/L	<10	<10	<10
68	Bis(2-ethylhexyl)phthalate	µg/L	<2	<10	<4
69	4-Bromophenyl phenyl ether	µg/L	<2.5	<10	<5
70	Butylbenzyl phthalate	µg/L	<2.5	<10	<5
71	2-Chloronaphthalene	µg/L	<2.5	<10	<5
72	4-Chlorophenyl phenyl ether	µg/L	<2.5	<10	<5
73	Chrysene	µg/L	<2.5	<10	<5
74	Dibenzo(a,h)anthracene	µg/L	<10	<10	<10
75	1,2-Dichlorobenzene	µg/L	<2.5	<10	<5
76	1,3-Dichlorobenzene	µg/L	<2.5	<10	<5
77	1,4-Dichlorobenzene	µg/L	<2.5	<10	<5
78	3,3'-Dichlorobenzidine	µg/L	<20	<20	<20
79	Diethyl phthalate	µg/L	<2.5	<10	<5
80	Dimethyl phthalate	µg/L	<2.5	<10	<5
81	Di-n-butyl phthalate	µg/L	<5	<20	<10
82	2,4-Dinitrotoluene	µg/L	<2.5	<10	<5
83	2,6-Dinitrotoluene	µg/L	<2.5	<10	<5
84	Di-n-octyl phthalate	µg/L	<10	<10	<10
85	1,2-Diphenylhydrazine	µg/L	>5	<50	<10
86	Flouranthene	µg/L	<2.5	<10	<5
87	Flourene	µg/L	<2.5	<10	<5
88	Hexachlorobenzene	µg/L	<2.5	<10	<5
89	Hexachlorobutadiene	µg/L	<10	<10	<10
90	Hexachlorocyclopentadiene	µg/L	<10	<10	<10
91	Hexachloroethane	µg/L	<2.5	<10	<5
92	Indeno(1,2,3-cd)pyrene	µg/L	<10	<10	<10
93	Isophorone	µg/L	<2.5	<10	<5
94	Naphthalene	µg/L	<2.5	<10	<5
95	Nitrobenzene	µg/L	<2.5	<10	<5
96	N-nitrosodimethylamine	µg/L	<2.5	<10	<5
97	N-nitrosodi-n-propylamine	µg/L	<2.5	<20	<5
CTR#	Constituents	Units	Average	Maximum	Minimum
98	N-nitrosodiphenylamine	µg/L	<2.5	<10	<5
99	Phenanthrene	µg/L	<2.5	<10	<5
100	Pyrene	µg/L	<2.5	<10	<5

101	1,2,4-Trichlorobenzene	µg/L	<2.5	<10	<5
102	Aldrin	µg/L	<0.0005	<0.02	<0.001
103	Alpha-BHC	µg/L	<0.001	<0.02	<0.002
104	Beta-BHC	µg/L	<0.001	<0.02	<0.002
105	Gamma-BHC (Lindane)	µg/L	0.0345	0.039	0.03
106	Delta-BHC	µg/L	<0.001	<0.02	<0.002
107	Chlordane	µg/L	<0.001	<0.2	<0.002
108	4,4'-DDT	µg/L	<0.0005	<0.02	<0.001
109	4,4'-DDE	µg/L	<0.0005	<0.02	<0.001
110	4,4'-DDD	µg/L	<0.0005	<0.02	<0.001
111	Dieldrin	µg/L	<0.0005	<0.02	<0.001
112	Alpha-endosulfan	µg/L	<0.0005	<0.02	<0.001
113	Beta-endosulfan	µg/L	<0.0025	<0.02	<0.005
114	Endosulfan sulfate	µg/L	<0.001	<0.02	<0.002
115	Endrin	µg/L	<0.0025	<0.01	<0.005
116	Endrin aldehyde	µg/L	0.015	0.02	0.01
117	Heptachlor	µg/L	<0.001	<0.01	<0.002
118	Heptachlor epoxide	µg/L	<0.0025	<0.01	<0.005
Polychlorinated biphenyls (PCBs)					
119	Aroclor 1016	µg/L	<0.005	<0.5	<0.01
120	Aroclor 1221	µg/L	<0.005	<0.5	<0.01
121	Aroclor 1232	µg/L	<0.005	<0.5	<0.01
122	Aroclor 1242	µg/L	<0.005	<0.5	<0.01
123	Aroclor 1248	µg/L	<0.005	<0.5	<0.01
124	Aroclor 1254	µg/L	<0.005	<0.5	<0.01
125	Aroclor 1260	µg/L	<0.005	<0.5	<0.01
126	Toxaphene	µg/L	<0.005	<2	<0.01
	Phenols (chlorinated)	µg/L	<30	<50	<10
	Phenols (non-chlorinated)	µg/L	<50	<50	<50
	Radioactivity-gross alpha	pCi/L	2±4	2±5	1±2
	Radioactivity-gross beta	pCi/L	8±8	12±7	4±8

The "<" symbol indicates that the pollutant was not detected (ND) at that concentration level. We do not know if the pollutant was present at a lower concentration.

Attachment D contains a more extensive statistical analysis of effluent priority pollutant data, collected by the Discharger from Fall 1997 to July 2000.

- In 1999, the average BOD removal efficiency for the year was 98.8% and the average Total Suspended Solids removal efficiency for the year was 99.3%. The average total coliform 7-day median value for 1999 was <2 MPN/100ml in the effluent (MPN is the most probable number of total coliform organisms).

APPLICABLE PLANS, POLICIES, AND REGULATIONS

16. On May 19, 1988, the State Board adopted Resolution No. 88-63, *Sources of Drinking Water Policy*, which required all Regional Boards to designate all surface and ground waters, with limited exemptions, as suitable or potentially suitable for municipal and domestic supply. On March 27, 1989, the Regional Board adopted Resolution No. 89-03, *Incorporation of Sources of Drinking Water Policy into the Water Quality Control Plans (Basin Plans) – Santa Clara River Basin (4A) / Los Angeles River Basin (4B)*.

19. **Basin Plan** On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for the Los Angeles Region: Basin Plan for the Coastal Watershed of Los Angeles and Ventura Counties* (Basin Plan). The Basin Plan incorporates by reference the Ocean Plan, the Thermal Plan, and the Antidegradation policy. The Basin Plan also identifies water quality objectives and beneficial uses for surface waters of Ojai and Ventura.

The Regional Board amended the Basin Plan via Regional Board Resolution No. 97-02 on January 27, 1997. This updated and consolidated plan represents the Board's master quality control planning document and regulations. The revised Basin Plan was approved by the SWRCB and the State of California Office of Administrative Law (OAL) on November 17, 1994, and February 23, 1995, respectively. The Basin Plan (i) designates beneficial uses for surface and groundwaters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated (existing and potential) beneficial uses and conform to the state antidegradation policy, and (iii) includes implementation provisions, programs, and policies to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) all applicable State and Regional Board Plans and policies and other pertinent water quality policies and regulations. The 1994 update of the Basin Plan has been prepared to be consistent with all State and Regional Board plans and policies adopted to date. This Order implements the plans, policies and provisions of the Board's Basin Plan.

20. **Beneficial Uses** The Basin Plan contains water quality objectives and beneficial uses for the Ventura River and contiguous waters.
- A. The receiving waters of OVSD include the Ventura River and the Ventura River Estuary. In addition, because of the groundwater recharge beneficial use of the Ventura River, the Lower Ventura Groundwater Basin in the Ventura River Valley is also a receiving water for OVSD's discharge. The beneficial uses of the receiving waters are:

Ventura River - Hydro Unit 402.10

Potential: municipal and domestic supply;

Existing: industrial service supply, agricultural supply, groundwater recharge, freshwater replenishment, contact and non-contact water recreation, warm freshwater habitat, cold freshwater habitat, wild life habitat, rare, threatened or endangered species, migration of aquatic organisms, spawning, reproduction, and early development, and wetland habitat;

Ventura River Estuary - Hydro Unit 402.10

Existing: navigation, commercial and sport fishing, contact and non-contact water recreation, warm freshwater habitat, estuary habitat, marine habitat, wild life habitat, rare, threatened or endangered species, migration of aquatic organisms, spawning, reproduction, and early development, shellfish harvesting, and wetland habitat;

Lower Ventura Groundwater Basin

Potential: municipal and domestic supply, industrial process supply;

Existing: industrial service supply, agricultural supply

- B. There is public contact in the downstream areas; hence, the quality of wastewater discharged to the Ventura River must be such that no health hazard is created.

Due to the development of both private and public recreational facilities downstream of the discharge, the use of the river for water-contact recreation, particularly at the mouth of the river, has been increasing. Since there is public contact in the receiving water, the quality of wastewater discharged to the Ventura River must be that of reclaimed water used as a source of supply in nonrestricted recreational impoundments. Title 22 of the California Code of Regulations requires that such reclaimed water shall be at all times an adequately disinfected, oxidized, coagulated, clarified, filtered wastewater. Therefore, there is the need for the wastewater discharged to Ventura River to be filtered such that no health hazard is created.

- C. The requirements in this Order are intended to protect designated beneficial uses and enhance the water quality of the watershed. Effluent limits must protect both existing and potential beneficial uses.

21. ***State Implementation Plan (SIP) and California Toxics Rule (CTR).*** The SWRCB adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (also known as the State Implementation Plan

or SIP) on March 2, 2000. The SIP was amended by Resolution No. 2000-30, on April 26, 2000, and the Office of Administrative Law approved the SIP on April 28, 2000. The SIP applies to discharges of toxic pollutants in the inland surface waters, enclosed bays and estuaries of California which are subject to regulation under the State's Porter-Cologne Water Quality Control Act (Division 7 of the Water Code) and the Federal Clean Water Act (CWA). This policy also establishes the following: implementation provisions for priority pollutant criteria promulgated by USEPA through the California Toxics Rule (CTR) and for priority pollutant objectives established by Regional Water Quality Control Boards (RWQCBs) in their water quality control plans (Basin Plans); monitoring requirements for priority pollutants with insufficient data to determine reasonable potential; monitoring requirements for 2, 3, 7, 8 –TCDD equivalents; and chronic toxicity control provisions. The CTR became effective on May 18, 2000 (codified as 40 CFR Part 131.38). Toxic pollutant limits are prescribed in this Order to implement the CTR.

In the CTR, USEPA promulgated criteria that protects the general population at an incremental cancer risk level of one in a million (10^{-6}), for all priority toxic pollutants regulated as carcinogens. USEPA recognizes that adoption of a different risk factor is outside of the scope of the CTR. However, states have the discretion to adopt water quality criteria that result in a higher risk level, if it can demonstrate that the chosen risk level is adequately protective of the most highly exposed subpopulation, and has completed all necessary public participation. This demonstration has not happened in California. Further, the information that is available on highly exposed subpopulations in California supports the need to protect the general population at the 10^{-6} level. The discharger may undertake a study, in accordance with the procedures set forth in Chapter 3 of USEPA's Water Quality Standards Handbook: Second Edition (EPA-823-B-005a, August 1994) to demonstrate that a different risk factor is more appropriate. Upon completion of the study, the State Board will review the results and determine if the risk factor needs to be changed. In the mean time, the State will continue using a 10^{-6} risk level, as it has done historically, to protect the population against carcinogenic pollutants.

22. The requirements contained in this Order are derived using best professional judgement and are based on the Basin Plan, Federal and State plans, policies, guidelines, and plant performance; and as they are met, will be in conformance with the goals of the aforementioned water quality control plans, water quality criteria, and will protect and maintain the existing beneficial uses of the receiving water.

WATER QUALITY ASSESSMENT

23. **303(d) Listed Pollutants** On May 12, 1999, the USEPA approved the State's most recent list of impaired waterbodies. The list (hereinafter referred to as the 303(d) list) was prepared in accordance with Section 303(d) of the Federal Clean Water Act to identify specific impaired waterbodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources

Within the Ventura River Watershed, the Ventura River Estuary, as well as Reaches 1, 2, 3, and 4 were classified as impaired. Reaches 3 and 4 are above the treatment plant and will

not be addressed here. The following pollutants/stressors, from point and non-point sources, were identified as impacting the receiving waters:

Ventura River Estuary – Hydrologic Unit 402.10

- Algae, eutrophication, DDT, and trash;

Ventura River Reach 1 (Estuary to Main Street) – Hydrologic Unit 402.10

- Algae, copper, silver, and zinc (metals in fish tissue); and,

Ventura River Reach 2 (Main Street to Weldon Canyon) – Hydrologic Unit 402.10

- Algae, copper, selenium, silver, and zinc (metals in fish tissue)

24. **Relevant Total Maximum Daily Loads.** A Total Maximum Daily Load (TMDL) is a determination of the amount of a pollutant, from point, nonpoint, and natural background sources, including a margin of safety, that may be discharged to a water quality-limited water body. Section 303(d) of the CWA established the TMDL process. The statutory requirements are codified at 40 CFR Part 130.7. TMDLs must be developed for the pollutants of concern which impact the water quality of water bodies on the 303(d) list. The Regional Board is developing a TMDL that assesses the extent and sources of the algae and eutrophication problem in the Ventura River. According to the TMDL schedule, under the amended consent decree, *Heal the Bay, Santa Monica Bay Keeper, et al. v. Browner, et al.* (March 23, 1999), the algae and eutrophication TMDLs for the Ventura River Watershed must be completed by 2004/05. The remaining TMDLs, such as metals (copper, silver, selenium, and zinc) and trash, are scheduled for completion by 2005/06.
25. **Watershed Approach.** This Regional Board has been working to implement a Watershed Management Approach, in accordance with *Watershed Protection: A Project Focus* (EPA841-R-95-003, August 1995), to address water quality protection in the Los Angeles Region. The objective is to provide a more comprehensive and integrated strategy resulting in water resource protection, enhancement, and restoration while balancing economic and environmental impacts within a hydrological-defined drainage basin or watershed. The Watershed Management Approach emphasizes cooperative relationships between regulatory agencies, the regulated community, environmental groups, and other stakeholders in the watershed to achieve the greatest environmental improvements with the resources available. This Order fosters the implementation of this approach by protecting beneficial uses in the watershed and requiring OVSD to participate with the Ventura County Flood Control District, Santa Barbara ChannelKeeper, and other stakeholders, in the development and implementation of a volunteer watershed-wide monitoring program. The watershed-wide monitoring program has been under development for the past year and is expected to be implemented prior to the effective date of this Order.

The *Ventura River Volunteer Monitoring Program* is a collaborative effort between the State Board, Regional Board, Ventura County, the City of San Buenaventura, OVSD, and other stakeholders to develop and implement a volunteer based water quality monitoring program to provide scientific data on the water quality of the Ventura River Watershed.

Another goal is to assess the physical and eventually biological health of the system and to address nonpoint sources of pollution such as equestrian activities. Santa Barbara ChannelKeeper is the lead volunteer organization in conjunction with the Ventura chapter of Surf Rider. Both nonprofit organizations are attempting to track activities throughout the Ventura River watershed. Its goal is to help facilitate a process to preserve, restore, and enhance all aspects of the watershed. Currently, the group has received funding and is preparing to begin the first round of monitoring.

The *Ventura River Steelhead Restoration and Recovery Plan Group* was developed in response to the listing of steelhead trout as an endangered species by the National Marine Fisheries Service (NMFS) in August 1997. The plan was developed to 1) identify measures to mitigate impacts of ongoing operations and maintenance activities, 2) to identify future projects and, 3) identify and evaluate opportunities to promote recovery and restoration of the steelhead trout in the watershed. Stakeholders of the group consist of the Casitas Municipal Water District, City of Ventura, Ventura County Flood Control District, and seven other local public and private agencies. The plan was released in December of 1997.

Also as a result of the listing of steelhead trout as an endangered species and in relation to the *Ventura River Steelhead Restoration and Recovery Plan Group*, number of public agencies have joined together in a cooperative effort to develop a *Habitat Conservation Plan* (HCP) for the Ventura River. These agencies include the City of Ventura, Casitas Municipal Water District, County of Ventura (Flood Control District, Transportation, and Solid Waste), Ojai Valley Sanitary District, Southern California Water Company, Ojai Basin GMA, City of Ojai, and Ventura River County Water District. These agencies operate and maintain facilities along portions of the river that could affect species designated threatened or endangered by the federal government. To ensure compliance with the federal Endangered Species Act (ESA), these agencies are proactively seeking an incidental take permit under Section 10(a) of the ESA, which allows take of listed species and their habitat incidental to other lawful activities, provided the take is minimized and other measures are implemented to mitigate the impact, as described in the HCP.

26. The Ventura River Watershed and Calleguas Creek Watershed were the targeted watersheds, in 1995 and 1996, under the Watershed Management Approach (WMA). Pursuant to this Regional Board's watershed initiative framework, the Ventura River Watershed Management Area is the targeted watershed for fiscal year 2000-2001. This renewal is the second time the permit will be addressed under the WMA.

In January 2000, the Regional Board published the Watershed Management Initiative Chapter. This document contains a summary of the regions watershed approach to watershed management. It addresses each watershed and the associated water quality problems and issues. It describes the background and history of each watershed, current and future activities, and addresses TMDL development.

The Ventura River and its tributaries drain a coastal watershed in western Ventura County. The watershed covers a fan-shaped area of 235 square miles, which is situated within the western Transverse Ranges (the only major east-west mountain ranges in the continental U.S.). From the upper slopes of the Transverse Ranges, the surface water system in the Ventura River watershed generally flows in a southerly direction to an estuary, located at the mouth of the Ventura River. Groundwater basins composed of alluvial aquifers deposited along the surface water system, are highly interconnected with the surface water system and are quickly recharged or depleted, according to surface flow conditions. Topography in the watershed is rugged and as a result, the surface waters that drain the watershed have very steep gradients, ranging from 40 feet per mile at the mouth to 150 feet at the headwaters.

Precipitation varies widely in the watershed. Most occurs as rainfall during just a few storms, between November and March. Summer and fall months are typically dry. Although snow occurs at higher elevations, melting snowpack does not sustain significant runoff in warmer months. The erratic weather pattern, coupled with the steep gradients throughout most of the watershed, result in high flow velocities with most runoff reaching the ocean.

REGULATORY BASIS FOR EFFLUENT AND DISCHARGE REQUIREMENTS

27. ***Water Quality Objectives and Effluent Limits.*** Water Quality Objectives (WQOs) and effluent limitations in this permit are based on:
- The State Water Resources Control Board's "Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California" (the State Implementation Plan or SIP);
 - The plans, policies and water quality standards (beneficial uses + objectives + antidegradation policy) contained in the 1994 *Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties*, as amended;
 - Administrative Procedures Manual and Administrative Procedure Updates;
 - California Toxics Rule (Federal Register Volume 65, No. 97);
 - Regions 9 & 10 Guidance for Implementing Whole Effluent Toxicity Programs Final May 31, 1996;
 - Whole Effluent Toxicity (WET) Control Policy July 1994;
 - Applicable Federal Regulations
 - Federal Clean Water Act, and
 - 40 CFR Parts 122, 131, among others; and,
 - Best professional judgment (pursuant to 40 CFR 122.44).

Where numeric effluent limitations have not been established in the Basin Plan, 40 CFR Part 122.44(d) specifies that water quality based effluent limits may be set based on USEPA criteria and supplemented where necessary by other relevant information to attain and maintain narrative water quality criteria to fully protect designated beneficial uses.

28. U.S. EPA regulations, policy, and guidance documents upon which Best Professional Judgment (BPJ) was developed may include in part:
- Inspectors Guide for Evaluation of Municipal Wastewater Treatment Plants, April 1979 (EPA/430/9-79-010);
 - Fate of Priority Pollutants in Publicly Owned Treatment Works Pilot Study October 1979 (EPA-440/1-79-300);
 - Technical Support Document for Water Quality Based Toxics Control March 1991 (EPA-505/ 2-90-001); and,
 - USEPA NPDES Permit Writers' Manual, December 1996 (EPA-833-B-96-003).
29. Pursuant to 40 CFR Part 403, OVSD developed and has implemented an approved industrial wastewater pretreatment program. This Order requires implementation of the approved pretreatment program. Two non-categorical Significant Industrial Users (SIUs) and two Categorical Industrial Users (non-discharging at this time) are subject to OVSD's pretreatment program. The two SIUs are subject to local limits, but not categorical pretreatment standards.
30. To implement Section 405(d) of the Clean Water Act, USEPA promulgated 40 CFR Part 503 on February 19, 1993, to regulate the use and disposal of municipal sewage sludge. This Order implements these regulations and it is the responsibility of the Discharger to comply with said regulations, which are enforceable by USEPA.
31. Pursuant to Section 402(p) of the Clean Water Act and 40 CFR Parts 122, 123, and 124, the State Water Resources Control Board (State Board) adopted general NPDES permits to regulate stormwater discharges associated with industrial activity (State Board Order No. 91-13-DWQ adopted in November 1991, amended by Order No. 92-12-DWQ adopted in September 1992). The requirements of this general permit are incorporated into this permit.
32. **Federal Water Pollution Control Act (CWA).** Effluent limitations and toxic effluent standards are established pursuant to Section 301 (Effluent Limitations), Section 302 (Water Quality-Related Effluent Limitations), Section 303 (Water Quality Standards and Implementation Plans), Section 304 (Information and Guidelines [Effluent]), Section 305 (Water Quality Inventory), Section 307 (Toxic and Pretreatment Effluent Standards), and Section 402 (NPDES) of the CWA. The CWA and amendments thereto are applicable to the discharges herein.

Antibacksliding provisions are contained in Sections 303(d)(4) and 402(o) of the CWA, and in 40 CFR Part 122.44(l). Those provisions require a reissued permit to be as stringent as the previous permit with some exceptions. Section 402(o)(2) outlines six exceptions where effluent limitations may be relaxed. Two of the exceptions only apply to technology-based effluent limitations.

33. This discharge is subject to USEPA's regulations promulgated pursuant to Section 304(1) of the Clean Water Act and to implement USEPA's "Policy for the Development of Water Quality-based Permit Limitations for Toxic Pollutants" (49 FR 9016, dated March 9, 1984).

These regulations prescribe biological and other laboratory testing procedures and toxicity limits, particularly for chronic toxicity.

34. Effluent limitations, national standards of performance, toxic and pretreatment effluent standards, test procedure guidelines, regulations, requirements, and/or guidelines established pursuant to Sections 208(b), 301, 302, 303(d), 304, 306, 307, and 405 of the Clean Water Act and amendments thereto are applicable to this discharge.
35. **Applicable Water Quality Objectives.** 40 CFR Part 122.44(d)(vi)(A) requires the establishment of numeric effluent limitations to attain and maintain applicable narrative water quality criteria to protect the designated beneficial use.

The Basin Plan includes narrative and numeric Water Quality Objectives (WQOs). The CTR promulgates numeric aquatic life criteria for 23 toxic pollutants and numeric human health criteria for 57 toxic pollutants. A compliance schedule provision in the SIP authorizes the State to issue schedules of compliance for new or revised NPDES permit limits based on the federal criteria when certain conditions are met.

Where numeric water quality objectives have not been established in the Basin Plan, 40 CFR Part 122.44(d) specifies that water quality based effluent limits may be set based on USEPA criteria and supplemented, where necessary, by other relevant information to attain and maintain narrative water quality criteria to fully protect designated beneficial uses.

36. **Technology Based Limits.** Effluent limits for conventional pollutants are technology based. 40 CFR Part 401.16 lists conventional pollutants designated pursuant to CWA Section 304(a)(4). These constituents include: biochemical oxygen demand (BOD), total suspended solids (TSS), oil and grease, pH, and coliforms. Technology-based effluent limitations for settleable matter and conventional pollutants are based on the federal secondary treatment definition. 40 CFR Part 133 further describes the minimum level of effluent quality attainable by secondary treatment for BOD and suspended solids. The 0.1 mg/L effluent limitation for total residual chlorine is technology-based on the levels achievable by POTWs with given technology. Priority toxic pollutants are listed in 40 CFR 131.38. Nonconventional pollutants are neither conventional nor priority toxic pollutants, such as nitrogen.
37. **Water Quality Based Effluent Limitations (WQBEL).** Toxic substances are regulated in this permit by water quality based effluent limitations derived from the 1994 Basin Plan, the CTR, and/or best professional judgment (BPJ) pursuant to Part 122.44. If a discharge causes, has a reasonable potential to cause, or contribute to a receiving water excursion above a narrative or numeric objective within a State water quality standard, federal law and regulations, as specified in 40 CFR 122.44(d)(1)(i), and in part, the SIP, require the establishment of water quality based effluent limits (WQBELs) that will protect water quality. As documented in Table R and the fact sheet, pollutants exhibiting reasonable potential in the discharge, authorized in this Order, are identified in the Reasonable Potential Analysis (RPA) section and have final effluent limits. Because

ambient receiving water data is not available, reasonable potential was not triggered for some of the 126 priority pollutants and final limits cannot be determined at this time. The Discharger is required to gather the appropriate data and the Board will determine if final effluent limits are needed. If final limits are needed, the permit will be reopened and limits will be included in the permit.

REASONABLE POTENTIAL ANALYSIS

39. As specified in 40 CFR Part 122.44(d)(1)(i), permits are required to include limits for all pollutants “which the Director (defined as the Regional Administrator, State Director, or authorized representative in 40 CFR Part 122.2) determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard.” Using the method described in the SIP, Regional Board staff have conducted Reasonable Potential Analysis (RPA) using the discharger’s effluent data contained in Table D. The RPA compares the effluent data with water quality objectives in the Basin Plan and CTR.
- a. ***Reasonable Potential Determination*** The RPA (per the SIP) involves identifying the observed maximum pollutant concentration in the effluent (MEC) for each constituent based on the effluent concentration data. There are three tiers to determining reasonable potential. If any of the following three tiers is triggered, then reasonable potential exists:
- For the first tier, the MEC is compared with the lowest applicable Water Quality Objective (WQO), which has been adjusted for pH, hardness and translator data, if appropriate. If the MEC is greater than the (adjusted) WQO, then there is reasonable potential for the constituent to cause or contribute to an excursion above the WQO and a water quality-based effluent limitation (WQBEL) is required. However, if the pollutant was not detected in any of the effluent samples and all of the reported detection limits are greater than or equal to the WQO, proceed with Tier 2. The Regional Board exercised its discretion in identifying all available, valid, relevant, representative data and information in accordance with SIP Section 1.2 (page 8).
 - For the second tier, if the MEC is less than the adjusted WQO, then the observed maximum ambient background concentration (B) for the pollutant is compared with the adjusted WQO. If B is greater than the adjusted WQO, then a WQBEL is required. If B is less than the WQO, then a limit is only required under certain circumstances to protect beneficial uses. If a constituent was not detected in any of the effluent samples and all of the detection limits are greater than or equal to the adjusted WQO, then the ambient background concentration is compared with the adjusted WQO. The Regional Board exercised its discretion in identifying all available, applicable ambient background data in accordance with SIP Section 1.4.3 (page 16).

- For the third tier, other information is used to determine RPA, such as the current CWA 303(d) List. Section 1.3 of the SIP describes the type of information that can be considered in Tier 3.

For all parameters that have reasonable potential to cause or contribute to an exceedance of a WQO / criteria, numeric WQBELs are required. Section 1.4, Step 5 of the SIP (page 8) states that MDELs shall be used for publicly-owned treatment works (POTWs) in place of average weekly limitations. WQBELs are based on CTR, USEPA water quality criteria, and Basin Plan objectives.

If the data are unavailable or insufficient to conduct the RPA for the pollutant, or if all reported detection limits of the pollutant in the effluent are greater than or equal to the WQO, the Regional Board shall establish interim requirements, in accordance with Section 2.2.2. of the SIP, that require additional monitoring for the pollutant in place of a WQBEL. Upon completion of the required monitoring, the Regional Board shall use the gathered data to conduct RPA and determine if a WQBEL is required. However, if Tier 1 or Tier 3 triggered reasonable potential for a pollutant, then the lack of receiving water data for Tier 2 evaluation would not prohibit the establishing of WQBELs in the permit.

A numerical limit has not been prescribed for a toxic constituent if it has been determined that it has no reasonable potential to cause or contribute to excursions of water quality standards. However, if the constituent had a limit in the previous permit, and if none of the Antibacksliding exceptions apply, then the limit will be retained. A narrative limit to comply with all water quality objectives is provided in *Standard Provisions* for the priority pollutants which have no available numeric criteria.

- b. **RPA Data.** The RPA was based on effluent monitoring data for Fall 1997 through July 2000. Table R (Attachment R) of the fact sheet summarizes the RPA, lists the constituents, and where available, the lowest, adjusted WQO, the MEC, the "Reasonable Potential" result, and the limits from the previous permit.

For metals, the lowest applicable Water Quality Objective (WQO) was expressed as total recoverable, and where applicable adjusted for hardness. If there was insufficient ambient background hardness data upstream of the discharge, hardness in the effluent was used to adjust the WQO. Where hardness data was not readily available as calcium carbonate (Ca CO_3), monitoring data for calcium and magnesium was used to calculate the concentration of hardness as CaCO_3 .

For some constituents, a complete RPA cannot be performed on the discharger's effluent because there is insufficient ambient background water quality data, upstream from the discharge, to determine if an effluent limitation is needed. In accordance with the SIP, the Regional Board may impose interim monitoring requirements upon the Discharger, so that the Discharger obtains adequate ambient, background water samples for metals and organic priority pollutants

upstream from the discharge point. After the additional information is gathered, and prior to April 2003, Regional Board staff will conduct RPA once again, to determine if additional numerical limitations are necessary. Section 1.3, Step 8, of the SIP authorizes the Regional Board to use the gathered data to conduct RPA, as outlined in Steps 1 through 7, and determine if a water quality-based effluent limitation is required.

A reopener provision is included in this Order that allows the permit to be reopened to allow the inclusion of new numeric limitations for any constituent that exhibits reasonable potential to cause or contribute to exceedance of applicable water quality objectives.

For some priority pollutants, the applicable water quality objectives are below the levels that current technology can measure. Section 2.4.5 of the SIP discusses how compliance will be determined in those cases. The discharger should work with the laboratory to lower detection levels to meet applicable and reliable detection limits; follow procedures set forth in 40 CFR 136; and, report the status of their findings in the annual report. During the term of the permit, if and when the monitoring with lowered detection limits shows any of the above at levels exceeding the applicable WQOs, the discharger will be required to initiate source identification and control for the particular constituent. Appendix 4 of the SIP lists the minimum levels and laboratory techniques for each constituent.

40. The numeric limitations contained in this Order are intended to protect and maintain existing and potential beneficial uses of the receiving waters. Environmental benefits provided by these limitations are reasonable and necessary.
41. For some priority pollutants, the applicable water quality objectives are below the levels that current analytical techniques can measure. Section 2.4.5 of the SIP discusses how compliance will be determined in those cases.

INTERIM REQUIREMENTS

Pollutant Minimization Program

42. Compliance with effluent limitations shall be determined as follows:
 - a. Dischargers shall be deemed out of compliance with an effluent limitation if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported minimum level (ML).
 - b. The Discharger shall be required to conduct a Pollutant Minimization Program (PMP), in accordance with Section 2.4.5.1. of the SIP, when there is evidence that the priority pollutant is present in the effluent above an effluent limitation and either:

1. A sample result is reported as detected but not quantified (DNQ) and the effluent limitation is less than the reported ML; or,
2. A sample result is reported as nondetect (ND) and the effluent limitation is less than the MDL.

Examples of evidence that the priority pollutant is present in the effluent above an effluent limitation are:

- sample results reported as ND when the effluent limitation is less than the method detection limit (MDL);
- sample results from analytical methods more sensitive than those methods included in the permit in accordance with Sections 2.4.2 or 2.4.3;
- presence of whole effluent toxicity;
- health advisories for fish consumption; or,
- results of benthic or aquatic organism tissue sampling.

If a sample result, or the arithmetic mean or median of multiple sample results, is below the reported ML, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the Discharger conducts a PMP (as described in Section 2.4.5.1 of the SIP), the Discharger shall not be deemed out of compliance.

The goal of the PMP is to reduce all potential sources of a priority pollutant(s) through pollution minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the WQBEL.

Interim Limits

OVSD may not be able to achieve immediate compliance with the limits for bromodichloromethane, dibromochloromethane, thallium, bis(2-ethylhexyl)phthalate, cyanide, or lindane contained in section 1.A.2.(b). Data submitted in previous self-monitoring reports indicates that these constituents have been detected in the effluent, at least once, at a concentration greater than the new limit proposed in this Order.

40 CFR Part 131.38(e) provides conditions under which interim effluent limits and compliance schedules may be issued, but the current Basin Plan Basin Plan does not allow the inclusion of interim limits and compliance schedules within NPDES permits. However, the SIP does allow inclusion of an interim limit within an NPDES permit for priority pollutants if the limit for the priority pollutant is CTR-based, and if the previous permit did not contain an effluent limit for that priority pollutant. The Regional Board has exercised their discretion to include interim limits and compliance schedules through this

Order for thallium, dibromochloromethane, dichlorobromomethane, and bis(2-ethylhexyl) phthalate because these are new limits for constituents that did not previously exist in the prior permit. However, because cyanide and lindane did have limits in the previous permit, Regional Board staff have prepared a Time Schedule Order (TSO), with interim effluent limits and a compliance schedule, to provide OVSD with the time needed to conduct a PMP and/or studies and to come into compliance with these constituent limits.

Interim Monitoring Requirements

The following are interim monitoring requirements:

- a. In accordance with the SIP, the Discharger must test for 17 Dioxin Congeners twice each year; once during wet weather, and once during dry weather, *for three years only*. The purpose of the monitoring is to assess the presence and amounts of the congeners being discharged to inland surface waters, enclosed bays, and estuaries for the development of a strategy to control these chemicals in a future multi-media approach. The following Toxicity Equivalence Factor (TEF) shall be used by the Discharger to determine Toxic Equivalence (TEQ). The 17 congeners are listed below:

<u>Congener</u>	<u>Toxicity Equivalence Factor</u>
2,3,7,8-TetraCDD	1
1,2,3,7,8-PentaCDD	1.0
1,2,3,4,7,8-HexaCDD	0.1
1,2,3,6,7,8-HexaCDD	0.1
1,2,3,7,8,9-HexaCDD	0.1
1,2,3,4,7,8,9-HeptaCDD	0.01
OctaCDD	0.0001
2,3,7,8-TetraCDF	0.1
1,2,3,7,8-PentaCDF	0.05
2,3,4,7,8-PentaCDF	0.5
1,2,3,4,7,8-HexaCDF	0.1
1,2,3,6,7,8-HexaCDF	0.1
1,2,3,7,8,9-HexaCDF	0.1
2,3,4,6,7,8-HexaCDF	0.1
1,2,3,4,6,7,8-HeptaCDF	0.01
1,2,3,4,7,8,9-HeptaCDF	0.01
OctaCDF	0.0001

The Discharger must report (1) the measured or estimated congener concentration, (2) the Method Detection Limit (MDL), and (3) the lowest quantifiable limit (*agreed upon by the Discharger, Regional Board, and State Board*). The Discharger must also express the results in 2,3,7,8-TCDD equivalents (TEQs) by multiplying the congener concentration by its respective TEF.

- b. The receiving water monitoring program was modified to provide more specific information pertaining to potential effects of the discharges on receiving waters and to gather information for RPA purposes. All constituents will be sampled at the same

frequency at R3. However, after April 2003, the frequency of monitoring of priority pollutants that don't have a limit, that won't require an effluent limit (after the new RPA is conducted), or that the waterbody is not 303(d) listed for, may be decreased to semiannually, at some stations.

CEQA AND NOTIFICATION

43. The action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code §21100, et. seq.) in accordance with California Water Code §13389.
44. The Regional Board has notified OVSD and interested agencies and persons of its intent to issue waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.
45. The Regional Board, in a public hearing, heard and considered all comments pertaining to the discharge and to the tentative requirements.
46. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Clean Water Act or amendments thereto, and shall take effect at the end of ten days from the date of its adoption, provided the USEPA Regional Administrator has no objections.
47. Pursuant to California Water Code Section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be sent to the State Water Resources Control Board, P.O. Box 100, Sacramento, California, 95812, within 30 days of adoption of the Order.

IT IS HEREBY ORDERED that Ojai Valley Sanitary District, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

I. DISCHARGE LIMITATIONS

A. Effluent Limitations

1. Waste discharged shall be limited to treated wastewater only, as proposed.
2. The discharge of an effluent from Discharge Serial No. 001 with constituents in excess of the following limits is prohibited (See Footnotes page 14):

a. Conventional

<u>Constituents</u>	<u>Units</u>	<u>Discharge Limitations</u>	
		<u>30-Day Average</u> ^{1/}	<u>Daily Maximum</u> ^{2/}
BOD ₅ (20°C)	mg/L	10	15
	lbs/day ^{3/}	250	375
Suspended Solids	mg/L	10	15
	lbs/day ^{3/}	250	375
Oil and Grease	mg/L	10	15
	lbs/day ^{3/}	250	375
Residual Chlorine	mg/L	----	0.1
Settleable Solids	ml/L	0.1	0.2
Total Dissolved Solids	mg/L	1500	----
	lbs/day ^{3/}	37,500	----
Sulfate	mg/L	500	----
	lbs/day ^{3/}	12,500	----
Chloride	mg/L	300	----
	lbs/day ^{3/}	7,500	----
Fluoride	mg/L	1.0	----
	lbs/day ^{3/}	25.02	----
Boron	mg/L	1.5	----
	lbs/day ^{3/}	37.5	----
Total Nitrogen [%]	mg/L	6.7	8
	lbs/day ^{3/}	----	200
Total ammonia ^{**}	mg/L	**	**
	lbs/day ^{#/}	----	----
Detergents (as MBAS)	mg/L	0.5	----
	lbs/day ^{3/}	12.5	----
Phosphorous	mg/L	----	2
	lbs/day ^{3/}	----	50

b. Toxics

<u>CTR #</u> [*]	<u>Constituent</u>	<u>Units</u>	<u>Discharge Limitations</u>		<u>ML</u> ^{8/}
			<u>30-day Average</u> ^{4/}	<u>Daily Maximum</u>	
2	Arsenic	µg/L	50 ^{5/, 9/}	246 ^{9/}	1
		lbs/day ^{3/}	1.25	6.15	
4	Cadmium	µg/L	5 ^{5/, 9/}	12 ^{9/}	0.25
		lbs/day ^{3/}	0.125	0.300	

CTR # *	Constituent	Units	Discharge Limitations		ML ^{8/}
			30-day Average ^{4/}	Daily Maximum	
6	Chromium (Total)	µg/L	50 ^{5/, 9/}	----	0.5
		lbs/day ^{3/}	1.25	----	
	Copper	µg/L	25 ^{5/, 9/}	50.1 ^{9/}	0.5
		lbs/day ^{3/}	0.625	1.25	
7	Iron	µg/L	300 ^{5/}	----	
		lbs/day ^{3/}	7.5	----	
	Lead	µg/L	15.21 ^{5/, 9/}	30.5 ^{9/}	0.5
		lbs/day ^{3/}	0.380	0.765	
8	Mercury	µg/L	0.05 ^{5/, 9/}	0.1003 ^{9/}	0.2
		lbs/day ^{3/}	0.001	0.003	
	Nickel	µg/L	138 ^{5/, 9/}	277 ^{9/}	1
		lbs/day ^{3/}	3.45	6.93	
10	Selenium	µg/L	4.09 ^{5/, 9/}	8.21 ^{9/}	1
		lbs/day ^{3/}	0.102	0.205	
	Silver	µg/L	12.2 ^{5/, 9/}	24.4 ^{9/}	0.25
		lbs/day ^{3/}	0.305	0.610	
12	Thallium	µg/L	1.7 ^{5/, 9/}	3.41 ^{9/}	1
		lbs/day ^{3/}	0.0425	0.085	
	Zinc	µg/L	193 ^{5/, 9/}	388 ^{9/}	1
		lbs/day ^{3/}	4.82	9.71	
14	Cyanide ^{7/}	µg/L	4.25 ^{9/}	8.54 ^{9/}	5
		lbs/day ^{3/}	0.107	0.214	
	Lindane	µg/L	0.019 ^{9/}	0.038 ^{9/}	0.02
		lbs/day ^{3/}	0.0005	0.00095	
39	Toluene	µg/L	150 ^{9/}	----	0.5
		lbs/day ^{3/}	3.75	----	
	Acrylonitrile	µg/L	0.059 ^{9/}	0.118 ^{9/}	2
		lbs/day ^{3/}	0.0015	0.003	
20	Bromoform	µg/L	4.3 ^{9/}	8.63 ^{9/}	0.5
		lbs/day ^{3/}	0.108	0.322	
	Carbon tetrachloride	µg/L	0.25 ^{9/}	0.502 ^{9/}	0.5
		lbs/day ^{3/}	0.006	0.013	
23	Dibromochloromethane	µg/L	0.401 ^{9/}	0.804 ^{9/}	0.5
		lbs/day ^{3/}	0.010	0.020	
	Dichlorobromomethane	µg/L	0.56 ^{9/}	1.12 ^{9/}	0.5
		lbs/day ^{3/}	0.014	0.028	
29	1,2-dichloroethane	µg/L	0.38 ^{9/}	0.76 ^{9/}	0.5
		lbs/day ^{3/}	0.0095	0.019	
	1,1-dichloroethylene	µg/L	0.057 ^{9/}	0.114 ^{9/}	0.5
		lbs/day ^{3/}	0.001	0.003	
31	1,2-dichloropropane	µg/L	0.52 ^{9/}	1.04 ^{9/}	0.5
		lbs/day ^{3/}	0.013	0.026	
	Discharge Limitations				

<u>CTR # *</u>	<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u> ^{4/}	<u>Daily Maximum</u>	<u>ML</u> ^{8/}
37	1,1,2,2-tetrachloroethane	μg/L	0.17 ^{9/}	0.341 ^{9/}	0.5
		lbs/day ^{3/}	0.004	0.009	
48	4,6-dinitro-o-cresol	μg/L	13.4 ^{9/}	26.9 ^{9/}	5
		lbs/day ^{3/}	0.335	0.673	
53	Pentachlorophenol	μg/L	0.28 ^{9/}	0.562 ^{9/}	1
		lbs/day ^{3/}	0.007	0.014	
55	2,4,6-trichlorophenol	μg/L	2.1 ^{9/}	4.21 ^{9/}	10
		lbs/day ^{3/}	0.052	0.105	
59	Benzidine	μg/L	0.00012 ^{9/}	0.00024 ^{9/}	5
		lbs/day ^{3/}	0.000003	0.000006	
60	Benzo(a)anthracene	μg/L	0.0044	0.0088	
		lbs/day ^{3/}	0.0001	0.0002	
61	Benzo(a)pyrene	μg/L	0.0044 ^{9/}	0.0088 ^{9/}	2
		lbs/day ^{3/}	0.0001	0.0002	
62	Benzo(b)fluoranthene	μg/L	0.0044	0.0088	
		lbs/day ^{3/}	0.0001	0.0002	
64	Benzo(k)fluoranthene	μg/L	0.0044 ^{9/}	0.0088 ^{9/}	2
		lbs/day ^{3/}	0.0001	0.0002	
66	Bis(2-chloroethyl)ether	μg/L	0.031 ^{9/}	0.622 ^{9/}	1
		lbs/day ^{3/}	0.00078	0.0016	
68	Bis(2-ethylhexyl)phthalate	μg/L	1.8 ^{9/}	3.61 ^{9/}	5
		lbs/day ^{3/}	0.045	0.090	
73	Chrysene	μg/L	0.0044 ^{9/}	0.0088 ^{9/}	5
		lbs/day ^{3/}	0.0001	0.0002	
77	1,4-dichlorobenzene	μg/L	400 ^{9/}	802 ^{9/}	1
		lbs/day ^{3/}	10	20.1	
78	3,3'-dichlorobenzidine	μg/L	0.04 ^{9/}	0.080 ^{9/}	5
		lbs/day ^{3/}	0.001	0.002	
79	Diethyl phthalate	μg/L	23,000 ^{9/}	46,142 ^{9/}	2
		lbs/day ^{3/}	575	1154	
82	2,4-dinitrotoluene	μg/L	0.11 ^{9/}	0.22 ^{9/}	5
		lbs/day ^{3/}	0.0028	0.0055	
85	1,2-diphenylhydrazine	μg/L	0.04 ^{9/}	0.080 ^{9/}	1
		lbs/day ^{3/}	0.001	0.002	
88	Hexachlorobenzene	μg/L	0.00075 ^{9/}	0.0015 ^{9/}	1
		lbs/day ^{3/}	0.000019	0.000038	
89	Hexachlorobutadiene	μg/L	0.44 ^{9/}	0.88 ^{9/}	1
		lbs/day ^{3/}	0.011	0.022	

<u>CTR # *</u>	<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u> ^{4/}	<u>Daily Maximum</u>	<u>ML</u> ^{8/}
91	Hexachloroethane	μg/L	1.9 ^{9/}	3.81 ^{9/}	1
		lbs/day ^{3/}	0.048	0.095	
92	Indeno(1,2,3-cd)pyrene	μg/L	0.004 ^{9/}	0.088 ^{9/}	0.05
		lbs/day ^{3/}	0.0001	0.0002	
96	N-nitrosodimethylamine	μg/L	0.00069 ^{9/}	0.0014 ^{9/}	5
		lbs/day ^{3/}	0.000017	0.000035	
97	N-nitrosodi-n-propylamine	μg/L	0.005 ^{9/}	0.010 ^{9/}	5
		lbs/day ^{3/}	0.0001	0.0003	
98	N-nitrosodiphenylamine	μg/L	5 ^{9/}	10.3 ^{9/}	1
		lbs/day ^{3/}	0.125	0.251	
102	Aldrin	μg/L	0.000065 ^{9/}	0.00026 ^{9/}	0.005
		lbs/day ^{3/}	0.0000016	0.0000065	
107	Chlordane	μg/L	0.00029 ^{9/}	0.0011 ^{9/}	0.1
		lbs/day ^{3/}	0.000007	0.000029	
108	4,4'-DDT	μg/L	0.00059 ^{9/}	0.0012 ^{9/}	0.01
		lbs/day ^{3/}	0.000015	0.00003	
109	4,4'-DDE	μg/L	0.000295 ^{9/}	0.0012 ^{9/}	0.05
		lbs/day ^{3/}	0.0000073	0.00003	
110	4,4'-DDD	μg/L	0.00083 ^{9/}	0.0016 ^{9/}	0.05
		lbs/day ^{3/}	0.00002	0.000042	
111	Dieldrin	μg/L	0.00014 ^{9/}	0.0003 ^{9/}	0.01
		lbs/day ^{3/}	0.0000035	0.000007	
114	Endosulfan sulfate	μg/L	110 ^{9/}	221 ^{9/}	0.05
		lbs/day ^{3/}	2.75	5.53	
117	Heptachlor	μg/L	0.0001 ^{9/}	0.0004 ^{9/}	0.01
		lbs/day ^{3/}	0.0000026	0.000011	
118	Heptachlor epoxide	μg/L	0.00005 ^{9/}	0.0002 ^{9/}	0.01
		lbs/day ^{3/}	0.0000013	0.000005	
119-125	PCBs 1016-1260 ^{7/}	μg/L	0.00017 ^{9/}	0.00034 ^{9/}	0.5
		lbs/day ^{3/}	0.0000043	0.0000043	
126	Toxaphene	μg/L	0.00016 ^{9/}	0.00033 ^{9/}	0.5
		lbs/day ^{3/}	0.0000041	0.0000082	

- b. Interim Limits[@]: The District, as operator of the Ojai Valley Treatment Plant, shall comply immediately with the following interim effluent limits until April 26, 2003. Thereafter, the Discharger shall comply with the limitations specified in Section I.A.2.b of this Order:

<u>CTR # *</u>	<u>Constituent</u>	<u>Units</u>	<u>Discharge Limitations</u>		<u>ML</u> ^{8/}
			<u>30-day Average</u> ^{4/}	<u>Daily Maximum</u>	
12	Thallium	μg/L	2.08 ^{5/ 9/}	----	1
23	Dibromochloromethane	μg/L	29.4 ^{9/}	35.7 ^{9/}	0.5
<u>Discharge Limitations</u>					

<u>CTR #</u> *	<u>Constituent</u>	<u>Units</u>	<u>30-day Average</u> ^{4/}	<u>Daily Maximum</u>	<u>ML</u> ^{8/}
27	Dichlorobromomethane	μg/L	36.4 ^{9/}	39.0 ^{9/}	0.5
68	Bis(2-ethylhexyl)phthalate	μg/L	4.92 ^{9/}	5.29 ^{9/}	5

The Discharger shall submit quarterly progress reports (January 15, April 15, July 15, and October 15) to describe the progress of studies and/or actions undertaken to reduce these compounds in the effluent, and to achieve compliance with the limits in this Order by the above mentioned deadline. The first progress report shall be received at the Regional Board by July 15, 2001.

FOOTNOTES

- 1/ As defined in Standard Provisions, Attachment N.
- 2/ The daily maximum effluent concentration limits apply to both flow weighted 24-hour composite samples and grab samples, as specified in the Monitoring and Reporting Program (Attachment T).
- 3/ Based on the plant design flow rate of 3.0 MGD. During events, such as storms, in which the flow exceeds the design capacity, the mass discharge rate limitations will be tabulated using the concentration limits and the actual flow rates.
- 4/ Compliance may be determined from a single analysis or from the average of the initial analysis and three additional analyses taken one week apart once the results of the initial analysis are obtained.
- 5/ Based on total recoverable metals. These limits may be modified to total dissolved metals if the Discharger requests and has conducted a study on the water-effect ratio (WER) according to USEPA guidance document and/or state protocols, if applicable.
- 6/ The recovery of free cyanide from metal complexes must be comparable to that achieved by Standard Methods 412 F, G, and H (Standard Methods for the Examination of Water and Wastewater; Joint Editorial Board, American Public Health Association, American Water Works Association, and Water Pollution Control Federation [Water Environment Federation]; most recent edition).
- 7/ PCBs (polychlorinated biphenyls) shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254, and Aroclor-1260. The limit is for the sum of all PCBs, not for each individual chlorinated biphenyl.
- 8/ The MLs, or Minimum Levels, refer to those found in Appendix 4 of the SIP, for reporting and compliance purposes, in accordance with Section 2.4 of the SIP.
- 9/ For priority pollutants, Section 2.4.5 of CTR *Compliance Determination*, reads, "Dischargers shall be deemed out of compliance with an effluent limitation if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported ML."

* This number corresponds to the compound number found in Table 1 of CTR. It is simply the order in which the 126 priority pollutants were listed in 40 CFR part 131.38 (b)(1).

** Ojai Valley Treatment Plant must meet the total ammonia limitations contained in Attachment H, Basin Plan Tables 3-1 and 3-3, for the protection of freshwater aquatic habitat, by June 14, 2002.

@ The interim limits apply for these constituents while OVSD develops and implements their Pollutant Minimization Plan until such a time that the Executive Officer indicates otherwise based on the findings of the PMP.

Interim effluent limits were derived statistically at 95% confidence level for monthly averages and at the 99% confidence level for the daily maximum interim limits. Effluent performance data from Fall 1997 through July 2000 and the Plimit™ program, which is based on Appendix E of the USEPA Technical Support Document for Water Quality-based Toxics Control (TSD) [EPA/ 505/2-90-001, PB91-127415, March 1991], were used to calculate the interim limits. Effluent values (xi) are assumed to be lognormally distributed for data sets containing all detects, and delta log-normally distributed for data sets containing detects and non-detects.

Based on the actual plant flow rate of 2.1 MGD.

% Total Nitrogen = nitrate-N + Nitrite-N + unionized ammonia-N + organic nitrogen

3. The pH of wastes discharged shall at all times be within the range of 6.5 and 8.5.
4. The temperature of wastes discharged shall not exceed 80°F; except when the ambient temperature of the receiving waters is higher than 80°F, the temperature of the wastes discharged shall not exceed the ambient temperature of the receiving waters.
5. Radioactivity of the wastes discharged shall not exceed the limits specified in Title 22, Chapter 15, Article 5, Section 64443, of the California Code of Regulations, or subsequent revisions.
6. In accordance with 40 CFR Parts 133.102(a)(3), for BOD and total suspended solids, respectively, the 30-day average percent removal shall not be less than 85 percent. Percent removal is defined as a percentage expression of the removal efficiency across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of the raw wastewater influent pollutant concentrations to the facility and the 30-day average values of the effluent pollutant concentrations for a given time period.
7. The wastes discharged to watercourses shall at all times be adequately disinfected. For the purpose of this requirement, the wastes shall be considered adequately disinfected if the median number of coliform organisms at the end of the UV channel, during normal operation when the UV system is in use, and at the end of the chlorine contact chamber, when the backup method is used, does not exceed 2.2 per 100 milliliters, and the number of coliform organisms does not exceed 23 per 100 milliliters in more than one sample within any 30-day period.

The median value shall be determined from the bacteriological results of the last seven (7) days for which analysis have been completed. Samples shall be collected at a time when wastewater flow and characteristics are most demanding on treatment facilities and disinfection processes.

8. For the protection of the water contact recreation beneficial use, the wastes discharged to watercourses shall have received adequate treatment, so that the turbidity of the wastewater does not exceed (a) a daily average of 2 Nephelometric turbidity units (NTUs), (b) and does not exceed 5 NTUs more than 5 percent of the time (72 minutes) during any 24 hour period.
9. To protect underlying ground water basins, pollutants shall not be present in the wastes discharged at levels that pose a threat to ground water quality.

B. RECEIVING WATER REQUIREMENTS

1. For waters designated with a cold freshwater habitat, the temperature of the receiving water at any time or place and within any given 24-hour period shall not be increased by more than 5°F (or above 70°F if the ambient receiving water temperature is less than 60°F) as a result of the waste discharged.
2. The pH of the receiving water shall not be depressed below 6.5 or raised above 8.5 as a result of wastes discharged. Ambient pH levels shall not be changed by more than 0.5 units from natural conditions.
3. At a minimum, the mean annual dissolved oxygen concentration of all waters shall be greater than 7.0 mg/L, and no single determination shall be less than 5.0 mg/L, except when natural conditions cause lesser concentrations.
4. The residual chlorine in the receiving water shall not persist in the receiving water at any concentration that causes impairment of beneficial uses as a result of the wastes discharged.
5. The fecal coliform concentration shall not exceed a log mean of 200/100 ml (based on a minimum of not less than four samples for any 30-day period), nor shall more than 10% of total samples during any 30-day period exceed 400/100 ml as a result of the wastes discharged.
6. The wastes discharged shall not alter the color of the receiving waters; create a visual contrast with the natural appearance of the water; nor cause aesthetically undesirable discoloration of the receiving waters.
7. The wastes discharged shall not contain substances that result in increases in the BOD which adversely affect beneficial uses of the receiving water.

8. The wastes discharged shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses of the receiving waters.
9. The wastes discharged shall not cause the receiving waters to contain any substance in concentrations that adversely affect any designated beneficial use.
10. The wastes discharged shall not degrade surface water communities and populations, including vertebrate, invertebrate, and plant species.
11. The wastes discharged shall not result in problems due to breeding of mosquitos, gnats, black flies, midges, or other pests.
12. The wastes discharged shall not result in visible floating particulates, foams, and oil and grease in the receiving water.
13. The wastes discharged shall not contain any individual pesticide or combination of pesticides in concentrations that adversely affect beneficial uses of the receiving waters. There shall be no increase in pesticide concentration found in bottom sediments or aquatic life.
14. The wastes discharged shall not alter the natural taste, odor, and color of fish, shellfish, or other surface water resources used for human consumption.
15. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in natural turbidity attributable to controllable water quality factors shall not exceed the following limits:
 - a. Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20%, and
 - b. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.
16. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions as a result of wastes discharged.
17. The wastes discharged shall not cause objectionable aquatic growths or degrade indigenous biota.
18. The concentration of organic materials in fish, shellfish or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health as a result of wastes discharged.

19. The wastes discharged shall not produce concentrations of toxic substances in the receiving water that are toxic to or cause detrimental physiological responses in human, animal, or aquatic life.
20. The concentration of organic materials in marine sediments shall not be increased above that which would degrade marine life as result of wastes discharged.
21. No physical evidence of wastes discharged shall be visible at any time in the water or on beaches, shores, rocks, or structures.
22. Exotic vegetation shall not be introduced around stream courses to the extent that such growth causes nuisance or adversely affects beneficial uses.
23. The natural hydrologic conditions necessary to support the physical, chemical, and biological characteristics present in wetlands shall be protected to prevent significant adverse effects on: (a) natural temperature, pH, dissolved oxygen, and other natural physical and chemical conditions; (b) movement of aquatic fauna; (c) survival and reproduction of aquatic flora and fauna; and (d) water levels.
24. The existing habitats and associated populations of wetlands fauna and flora shall be maintained by: (a) maintaining substrate characteristics necessary to support flora and fauna which would be present naturally; (b) protecting food supplies for fish and wildlife; (c) protecting reproductive and nursery areas; and (d) protecting wildlife corridors.
25. The wastes discharged shall not cause concentrations of contaminants to occur at levels that are harmful to human health in waters which are existing or potential sources of drinking water.
26. The concentrations of toxic pollutants in the water column, sediments, or biota shall not adversely affect beneficial uses as a result of the wastes discharged.
27. In order to protect underlying groundwater basins, ammonia shall not be present at levels that, when oxidized to nitrate, pose a threat to groundwater.

C. TOXICITY REQUIREMENTS:

1. ACUTE TOXICITY LIMITATION AND REQUIREMENTS FOR EFFLUENT

- a. The acute toxicity of the effluent shall be such that: (i) the average survival in the undiluted effluent for any three (3) consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, and (ii) no single test producing less than 70 % survival.
- b. If any acute toxicity bioassay test is less than 90% survival, the Discharger shall conduct six additional tests over a six-week period. The Discharger shall ensure

that they receive results of a failing acute toxicity test within 24 hours of the close of the test and the additional tests shall begin within 3 business days of the receipt of the result. If the additional tests indicate compliance with acute toxicity limitation, the Discharger may resume regular testing. However, if the results of any two of the six accelerated tests are less than 90% survival, then the Discharger shall begin a Toxicity Identification Evaluation (TIE). The TIE shall include all reasonable steps to identify the sources of toxicity. Once the sources are identified, the Discharger shall take all reasonable steps to reduce toxicity to meet objective.

- c. If any two acute toxicity bioassay test result in less than 70 % survival, including the initial test, the Discharger shall immediately begin a TIE.
- d. The Discharger shall conduct acute toxicity monitoring as specified in Monitoring and Reporting Program No. 4245 (Attachment T).

2. CHRONIC TOXICITY REQUIREMENTS FOR EFFLUENT

- a. The chronic toxicity of the effluent shall be expressed and reported in toxic units, where:

$$TU_c = \frac{100}{NOEC}$$

The No Observable Effect Concentration (NOEC) is expressed as the maximum percent effluent concentration that causes no observable effect on test organisms, as determined by the results of a critical life stage toxicity test.

- b. Chronic toxicity of 100% effluent shall not exceed a monthly median of 1.0 TU_c or a daily maximum of 1.6 TU_c in a critical life stage test.
- c. If the chronic toxicity of the effluent exceeds the monthly median of 1.0 TU_c, the Discharger shall immediately implement an accelerated chronic toxicity testing program according to Monitoring and Reporting Program No. 4245, Item VII.3.b. If any three out of the initial test and the six accelerated tests exceed 1.0 TU_c, the Discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan (see 4., below).
- d. The Discharger shall conduct chronic toxicity monitoring as specified in Monitoring and Reporting Program No. 4245 (Attachment T).

3. CHRONIC TOXICITY REQUIREMENTS FOR RECEIVING WATER

- a. There shall be no chronic toxicity in ambient waters as a result of wastes discharged.

- b. Receiving water and effluent toxicity testing shall be performed on the same day as close to concurrently as possible.
- c. If the chronic toxicity in the receiving water downstream at a monitoring station, immediately downstream of the discharge, outside the zone of initial dilution, exceeds 1.0 TU_c in a critical life stage test and the toxicity cannot be attributed to upstream toxicity assessed by the Discharger, then the Discharger shall immediately implement an accelerated chronic toxicity testing according to Monitoring and Reporting Program 4245, Item VII.3.b. If two of the six tests exceed 1.0 TU_c, the Discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan (see 4., below).
- d. If the results of the chronic toxicity testing upstream is greater than the results of the testing downstream, and the TU_c of the effluent chronic toxicity test is less than 1 TU_c, then accelerated monitoring does not need to be implemented.

4. PREPARATION OF AN INITIAL INVESTIGATION TRE WORKPLAN

- a. The Discharger shall submit a copy of the Discharger's Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan (1-2 pages) to the Executive Officer of the Regional Board for approval within 90 days of the effective date of this permit. If the Regional Board Executive Officer does not disapprove the Workplan within 60 days, the Workplan shall become effective. The Discharger shall use EPA manuals EPA/600/2-88/070 (industrial) or EPA/833B-99/002 (municipal) as guidance. This Workplan shall describe the steps the Discharger intends to follow if toxicity is detected, and should include, at a minimum:
 - i. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency;
 - ii. A description of the facility's methods of maximizing in-house treatment efficiency and good housekeeping practices, and a list of all chemicals used in operation of the facility; and,
 - iii. If a toxicity identification evaluation (TIE) is necessary, an indication of the person who would conduct the TIEs (i.e., an in-house expert or an outside contractor) (See MRP Section VII.3.c.iii. for guidance manuals).

II. SLUDGE REQUIREMENTS

For biosolids management, the Discharger must comply with all requirements of 40 CFR Parts 257, 258, 501, and 503, including all monitoring, record keeping, and reporting requirements. Specific requirements are listed in Attachment B.

Since the State of California, hence the Regional Board, has not been delegated the authority to implement the sludge program, enforcement of the sludge requirements contained in this Order and permit shall be the sole responsibility of USEPA. However, any reports submitted to USEPA shall also be furnished to the Regional Board.

III. PRETREATMENT REQUIREMENTS

- A. This Order includes the Discharger's pretreatment program as previously submitted to this Regional Board. Any change to the program shall be reported to the Regional Board and USEPA in writing and shall not become effective until approved by the Executive Officer and the USEPA Regional Administrator in accordance with procedures established in 40 CFR 403.18.
- B. The Discharger shall implement and enforce its approved pretreatment program. The Discharger shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in Federal Regulations 40 CFR Part 403, including subsequent regulatory revisions thereof. Where Part 403 or subsequent revision places mandatory actions upon the Discharger as Control Authority but does not specify a timetable for completion of the actions, the Discharger shall complete the required actions within six months from the effective date of this Order or the effective date of Part 403 revisions, whichever comes later. For violations of pretreatment requirements, the Discharger shall be subject to enforcement actions, penalties, fines, and other remedies by the Regional Board, USEPA, or other appropriate parties, as provided in the Federal Clean Water Act. The Regional Board or USEPA may initiate enforcement action against an industrial user for non-compliance with acceptable standards and requirements as provided in the Federal Clean Water Act and/or the California Water Code.
- C. The Discharger shall update its pretreatment local limits to meet the requirements of this Order. Within 60 days of the effective date of this Order, the Discharger shall submit the plan and schedule for updating the local limits for approval of the Executive Officer.
- D. The Discharger shall enforce the requirements promulgated under Sections 307(b), 307(c), 307(d), and 402(b) of the Federal Clean Water Act with timely, appropriate, and effective enforcement actions. The Discharger shall require industrial users to comply with Federal Categorical Standards and shall initiate enforcement actions against those users who do not comply with the standards. The Discharger shall require industrial users subject to the Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of a new industrial user, upon commencement of the discharge.
- E. The Discharger shall perform the pretreatment functions as required in Federal Regulations 40 CFR Part 403 including, but not limited to:
 - a. Implement the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
 - b. Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;

- c. Implement the programmatic functions as provided in 40 CFR 403.8(f)(2); and
 - d. Provide the requisite funding of personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).
- F. The Discharger shall submit annual reports to the Regional Board, State Board, and USEPA, Region 9, describing the Discharger's pretreatment activities over the period. If the Discharger is not in compliance with any conditions or requirements of this Order, the Discharger shall include the reasons for noncompliance and shall state how and when the Discharger will comply with such conditions and requirements. The annual and quarterly reports shall contain, but not be limited to, the information required in the attached *Pretreatment Reporting Requirements* (Attachment P), or an approved revised version thereof.

IV. OTHER REQUIREMENTS AND PROVISIONS

- A. Discharge of wastes to any point other than specifically described in this Order and permit is prohibited and constitutes a violation thereof.
- B. The Discharger shall comply with all applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and all federal regulations established pursuant to Sections 208(b), 301, 302, 303(d), 304, 306, 307, 316, 403 and 405 of the Federal Clean Water Act and amendments thereto.
- C. This Order includes the attached Monitoring and Reporting Program (Attachment T). If there is any conflict between provisions stated in the Monitoring and Reporting Program and the "Standard Provisions" (Attachment N), those provisions stated in the Monitoring and Reporting Program prevail.
- D. This Order includes the attached "Standard Provisions and General Monitoring and Reporting Requirements" (Attachment N). If there is any conflict between provisions stated hereinbefore and the attached "Standard Provisions", those provisions stated herein prevail.
- E. The Discharger must submit within 90 days of the effective date of this Order for the Executive Officers approval an updated Storm Water Pollution Prevention Plan (SWPPP) in accordance with Attachment A (Storm Water Pollution Prevention Plan). The Discharger shall implement the revised SWPPP within 10 days of the approval by the Executive Officer.
- F. The Discharger shall provide standby or emergency power facilities and/or storage capacity or other means so that in the event of plant upset or outage due to power failure or other cause, discharge of raw or inadequately treated sewage does not occur.
- G. The Discharger shall protect the facility from inundation which could occur as a result of a flood having a predicted frequency of once in 100 years.

- H. The Discharger shall comply with all applicable water quality objectives for the receiving waters, including the toxic criteria in 40 CFR Part 131.36.
- I. This Order may be reopened and modified, in accordance with SIP section 2.2.2.A, to incorporate new limits based on future reasonable potential analysis to be conducted, upon completion of the collection of additional data by the Discharger.
- J. This Order may be modified, in accordance with the provisions set forth in 40 CFR Parts 122 and 124, to include requirements for the implementation of the watershed protection management approach.
- K. The Board may modify, or revoke and reissue, this Order if present or future investigations demonstrate that the discharge(s) governed by this Order will cause, have the potential to cause, or will contribute to adverse impacts on water quality and/or beneficial uses of the receiving waters.
- L. This Order may also be modified, revoked, and reissued or terminated in accordance with the provisions of 40 CFR Parts 122.44, 122.62 to 122.64, 125.62, and 125.64. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this Order, endangerment to human health or the environment resulting from the permitted activity, or acquisition of newly obtained information which would have justified the application of different conditions if known at the time of Order adoption. The filing of a request by the District for an Order modification, revocation and issuance or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
- M. This Order may be modified, in accordance with the provisions set forth in 40 CFR Parts 122 to 124, to include new MLs.
- N. This Order may be reopened and modified, in accordance with the provisions set forth in 40 CFR Parts 122.44(d)(1)(vi)(C)(4), if the limits on the indicator parameter (total nitrogen) no longer attain and maintain applicable water quality standards.
- O. This Order may be reopened and modified, to revise effluent limitations as a result of future Basin Plan Amendments, such as an update of the Ammonia objective, or the adoption of a TMDL for the Ventura River Watershed.
- P. This Order may be reopened and modified, to revise the toxicity language once that language becomes standardized.
- Q. The Los Angeles Regional Board shall notice a reconsideration of this permit within 60 days of the date of the final judgement by the San Francisco Superior Court in *WaterKeepers Northern California, et.al., Case No. 312513*, for the purpose of modifying the permit to make it consistent with the judgement of the Court in this matter where any term, limitation, or provision is inconsistent with the judgement. The permit shall be modified within the time period established by the Court in this matter.

- R. The Discharger shall submit a detailed report to this Regional Board, within nine months of permit adoption, for the management and maintenance of the OVSD collection system. This report shall: describe plans to upgrade the collection system, include a schedule and timeline of the major steps of the upgrade, include maps of the OVSD collection system and any collection system not owned and operated by OVSD, and include both current and future programs in relation to maintenance of the collection system.

V. EXPIRATION

This Order expires on March 10, 2006. The Discharger must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of the expiration date as application for issuance of new waste discharge requirements.

VI. RESCISSION

- A. Order No. 96-041, adopted by this Board on June 10, 1996, is hereby rescinded, except for purposes of enforcement.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on April 26, 2001.

Dennis A. Dickerson
Executive Officer

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